

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
JUNE 22, 1977

An adjourned regular meeting of the City Council of the City of Lodi was held beginning at 7:00 p.m., Wednesday, June 22, 1977 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - EHRHARDT,  
HUGHES(arrived 7:03 p.m.),  
PINKERTON and KATNICH  
(Mayor)

Absent: Councilmen - KATZAKIAN

Also Present: City Manager Glaves, Assistant City Manager Glenn, Community Development Director Schroeder, City Attorney Mullen, and City Clerk Reimche.

INVOCATION

The invocation was given by Senior Pastor Carl Adams - Colonial Four Square Church.

PLEDGE OF ALLEGIANCE

Mayor Katnich led the Pledge of Allegiance to the flag.

MINUTES

City Clerk Reimche apprised the Council that the City Attorney had requested that the Minutes of May 18, 1977 be amended as follows:

Pages 2 and 3 - Introduction of Ordinance No. 1106, "Uniform Mechanical Code, 1976 Edition", Ordinance No. 1107, "Uniform Plumbing Code, 1976 Edition", and Ordinance No. 1108 "Uniform Building Code, 1976 Edition".

that the motions introducing each of the above-listed ordinances conclude with the statement - "that the changes and modifications in said Uniform Code were adopted by the City Council prior to 1971".

On motion of Councilman Pinkerton, Ehrhardt second, the Minutes of May 18, 1977 were approved as amended.

On motion of Councilman Ehrhardt, Katnich second, the Minutes of June 1, 1977 were approved as written and mailed.

On motion of Councilman Hughes, Ehrhardt second, the Minutes of June 8, 1977 were approved as written and mailed.

## PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of June 13, 1977:

## ITEMS OF INTEREST The Planning Commission -

1. Conditionally approved the request of Aladdin Real Estate, Inc., to approve the Tentative Map of Beckman Ranch (formerly Beckman Park), a 140.34 acre Planned Development bounded by West Kettleman Lane on the north, South Hutchins Street on the east; West Century Boulevard on the south and the Woodbridge Irrigation District Canal on the west.

Pending City Council action on an appeal the Planning Commission eliminated the following from its approval: (a) 3.4 acres of institutional; (b) 6 acres of commercial-professional; (c) 28 acres of commercial; (d) 4.4 acres of multiple family adjacent to the proposed commercial-professional; (e) 5.6 acres of condominiums adjacent to the proposed commercial and single-family lots 226 through 239.

2. Conditionally approved the request of Mr. Steve Speegle, for a Use Permit for vehicle restoration and welding (i.e. automobile body shop) at 533 and 535 North Hutchins Street in an area zoned C-2, General Commercial.

3. Determined that a Zoning Hardship existed and approved the request of Mr. Charles Kellam on behalf of 99 Furniture for a Variance to reduce the required off-street from 16 spaces to an amount determined by the Planning Commission to permit the replacement of an existing wood-frame building with a metal warehouse building at 122 North Cherokee Lane in an area zoned C-2, General Commercial.

The Planning Commission found that 10 off-street parking spaces would be adequate with 6 spaces on-site and 4 spaces on a parcel within one hundred feet.

4. Set a Public Hearing for 7:30 p.m., Monday, June 27, 1977 to consider the recommendation of the Site Plan and Architectural Review Committee to reorganize SPARC into a 5-member Committee appointed to 4-year terms by the Mayor with the approval of the City Council.

5. Recommended denial of action initiated by the San Joaquin County Planning Commission to amend the Lane Use/Circulation Element of the County General Plan by designating the area at the intersection of Interstate 5 (I-5) and State Route 12 (Kettleman Lane) from Agricultural to Highway Service.

6. Recommended approval of action initiated by the San Joaquin County Planning Commission to rezone the area generally bounded on the north by the Lodi City Limits and Almond Drive; on the east by State Route 99; on the south by Eight Mile Road and on the west by West Lane from I-PA, Interim Protected Agriculture; GA-5, G-20, General Agriculture and C-2, Community Commercial to GA-10, GA-20 and GA-40, General Agriculture.

COMMUNICATIONS

- ABC  
LICENSE

City Clerk Reimche apprised the Council that an application for Alcoholic Beverage License had been received for Martha Jo and Eddie T. Wakimoto, for "The Happening", 212 W. Kettleman Lane, Lodi, On Sale Beer and Wine, Public Premises, Person to Person transfer.
- CLAIM

City Clerk Reimche presented a Claim for damages in the amount of \$500.00 which had been filed on behalf of Garold Giddens. On motion of Councilman Pinkerton, Ehrhardt second, Council rejected the claim and referred it to the City's Contract Administrator.
- REQUEST  
FOR  
REZONING

The City Clerk presented a letter which had been received from Mrs. Virginia Barrett, 1201-A Liebig Street, Lodi requesting the northwest corner of South Central Avenue and East Kettleman Lane be rezoned from R-MD to C-2, General Commercial and advising of her inability to pay the necessary filing fees for the rezoning and environmental clearance.
- INSTALLATION  
OF IMPROVE-  
MENTS AT  
351 N.  
BECKMAN RD.

At the June 1, 1977 Council meeting, Council had directed Mr. Richard J. Thorpe to install storm drainage improvements at 351 N. Beckman Road and approved deferring the installation of curb, gutter and sidewalk improvements at that location. City Attorney Mullen advised the Council that although an agreement covering the condition of the Council's actions in this matter had been drawn up, Mr. Thorpe has now decided to proceed with the installation of all the improvements at that location.
- F.P.C.  
DELAYS

Councilman Hughes apprised the Council that the Federal Power Commission has not yet ratified the settlement agreement pertaining to pending rate cases with P.G.&E. Councilman Hughes further advised that the F.P.C. is presently operating with only four commissioners and that there are rumors of yet another pending resignation. Discussion followed with the City Clerk being instructed to inquire as to the date of the next Federal Power Commission with the possibility of sending a representative from the City Council back to address that body on behalf of the City regarding this matter.
- LEAF COMPOST  
COMMUNITY  
GARDEN  
PROJECT

The City Manager apprised the Council of problems that have been encountered by the Lodi Community Development and Services Agency in fulfilling the terms of the Agreement and Lease with the City of Lodi dated December 22, 1976 covering the leaf compost/community garden project. Mr. Graves stated that for all intent and purpose, the operation is now defunct.
- Council discussion followed with questions regarding the matter being directed to Staff. Council requested that it be furnished with a breakdown of funds that had been expended by the City on this project.

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## CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Pinkerton, Ehrhardt second, were approved by Council.

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CLAIMS CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,268,586.69.

ACCEPTANCE OF STOCKTON ST. IMPROVEMENTS & CENTURY BLVD & BECKMAN RD SANITARY SEWER City Manager Graves advised the Council that the contract for the improvements in "Stockton Street Improvements and Century Boulevard and Beckman Road Sanitary Sewer", which had been awarded to Ernest E. Pestana, Inc. of San Jose on November 3, 1976 in the amount of \$485,480 has been completed in substantial conformance with the plans and specifications approved by the City Council.

COUNCIL ACCEPTED THE IMPROVEMENTS IN "STOCKTON STREET IMPROVEMENTS AND CENTURY BOULEVARD AND BECKMAN ROAD SANITARY SEWER" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

ACCEPTANCE OF WESTDALE BASIN FENCE The City Manager apprised the City Council that the contract for the improvements in "Westdale Basin Fence, Tokay Street and W.I.D. Canal" which had been awarded to Alameda Fence, Inc. of Alameda on February 16, 1977 in the amount of \$6,758.00 has been completed in substantial conformance with the plans and specifications approved by the City Council.

COUNCIL ACCEPTED THE IMPROVEMENTS IN "WESTDALE BASIN FENCE, TOKAY STREET AND W.I.D. CANAL" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

Council was apprised that a request had been received to abandon a portion of a Public Utility Easement located in the area of the southeast corner of Hutchins Street and Chestnut Street. Pacific Gas and Electric Company, Pacific Telephone Company and Lodi Cable TV have been notified of the proposed abandonment and have indicated verbally their approval.

EASEMENT VACATION S/E CORNER HUTCHINS/ CHESTNUT

RESOLUTION NO. 4364

RES. NO. 4364

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI DECLARING ITS INTENTION TO VACATE AN EASEMENT LOCATED IN THE AREA OF THE SOUTHEAST CORNER OF HUTCHINS STREET AND CHESTNUT STREET, REFERRING THE MATTER TO THE PLANNING COMMISSION FOR RECOMMENDATION, AND SETTING THE MATTER FOR PUBLIC HEARING JULY 20, 1977.

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SPECS FOR  
ASPHALT &  
ROCK & SAND  
MATERIAL  
APPROVED

Specifications for asphalt materials needed during the first half of the fiscal year and specifications for rock and sand materials needed for the fiscal year were presented for Council's scrutiny.

On motion of Councilman Pinkerton, Hughes second, Council approved the specifications for asphalt material and for rock and sand material and authorized the Purchasing Agent to advertise for bids thereon.

E.D.A.  
PROJECTS  
APPROVED

RES. NO. 4365

Following introduction of the matter by City Manager Graves, Council, on motion of Councilman Ehrhardt, Pinkerton second, adopted Resolution No. 4365 authorizing the City Manager to execute all Local Public Works Capital Development and Investment Program Application documents on the following new projects:

- a) City of Lodi - Century Boulevard Storm Drain - Salas Park to C-1 Basin
- b) City of Lodi - Cherokee Lane Water Line and Fire Protection Kettleman Lane to South City Limits,

and further authorizing the City Manager to execute the following Round I Local Public Works Capital Development and Investment Program Application documents being re-submitted for Round II funding:

- a) City of Lodi - Lodi Public Library
- b) City of Lodi - City Hall Remodel first floor and basement
- c) City of Lodi - Century Boulevard/Stockton Street Water Main
- d) City of Lodi - Ham Lane Relief Sewer

PROPOSAL  
FOR "SOFT"  
FOLK CONCERT  
IN STADIUM

Council was apprised that a request had been received from Mr. Bruce Williams and Mr. Peter Koularis of Stockton, for the use of the Stadium for a "soft" folk concert. It is their feeling that this concert could draw as many as 15,000 people and proposed that the City would receive 8% of the gross and/or a minimum. The promoters would provide a performance bond, required insurance, all security within the stadium, their own stage and amenities that go with the promotion, including clean-up.

Lengthy discussion followed with questions regarding the proposal being directed to Staff. Councilman Ehrhardt then moved that Council approve the request as submitted by the Recreation Commission. The motion was seconded by Mayor Katnich.

Discussion followed with Councilman Hughes soliciting comments from Chief of Police Marc Yates who was in the audience as to problems and costs that could be anticipated in holding such an event. Following Chief Yates' remarks, additional discussion followed with

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PROPOSAL  
FOR A  
FOLK  
CONCERT IN  
STADIUM

questions being directed to Staff.

Councilman Ehrhardt then amended his motion to accept the recommendation of the Recreation Commission that this request be given serious consideration. The question was called for and failed to pass by the following vote:

Ayes: Councilmen - Ehrhardt and Hughes

Noes: Councilmen - Pinkerton and Katnich

Absent: Councilmen - Katzakian

Councilman Pinkerton then moved that Council give a tentative go-ahead on this proposal with the stipulation that the promoters meet the demands and requests of the Police Department and City Attorney on protecting the City relating to insurance and problems involving the law, and that this should be coordinated with the Police Chief, with his recommendations coming back to the City Council no later than July 6, 1977.

The motion was seconded by Councilman Katnich, and failed to pass by the following vote:

Ayes: Councilmen - Pinkerton and Katnich

Noes: Councilmen - Ehrhardt and Hughes

Absent: Councilmen - Katzakian

Additional discussion followed with Councilman Hughes moving that Council indicate it is interested in the proposal for a "soft" folk concert to be held in the Stadium; that Staff be directed to investigate procedures and difficulties which are anticipated to be encountered in holding such a concert; and that Staff report back to Council on its findings at the July 6, 1977 Council meeting. The motion was seconded by Councilman Ehrhardt and carried.

RENEWAL OF  
GOLF  
DRIVING  
RANGE  
AGREEMENT  
APPROVED

Council was advised that following review of the golf driving range operation with the Lessee, Mr. Harold Walz, the Recreation Commission recommends that the present agreement be renewed to coincide with the Festival Agreement.

Discussion followed with questions regarding the operation of the Golf Driving Range being directed to Staff and to Mr. Walz who was in the audience.

On motion of Councilman Ehrhardt, Pinkerton second, Council authorized renewal of the present Agreement with Mr. Harold Walz covering the Golf Driving Range to coincide with the Festival Agreement.

PILOT  
TRANSPORTA-  
TION PROJECT

Pursuant to instructions from the City Council on June 8, 1977, a letter was presented for Council's scrutiny from Mr. William B. Welch, Transportation Planner, JHK and Associates. Mr. Welch advised in

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PILDT  
TRANSPORTA-  
TION PROJECT  
(Continued)

his letter that he has given careful thought to the process of implementing a pilot program for subsidized taxi service in Lodi and has developed what he believes is a realistic assessment of the work activities and level of effort required. Mr. Welch further stated that he would estimate that the project could be completed by mid-August and estimated the cost on a time and materials basis at approximately \$3,600.

Council discussion followed with Mayor Katnich directing the City Clerk to contact Mr. Welch to inquire as to his availability to meet with the City Council at the Informal Informational Meeting of July 5, 1977.

Mayor Katnich asked Councilman Ehrhardt and Councilman Hughes to meet and to determine, based on reports previously furnished the Council and prior discussion, what approaches the City would want to implement in a pilot transportation program for the City of Lodi.

PUBLIC HEARINGS

VIRGINIA  
AVE. ST.  
LIGHTING  
DISTRICT  
ASSESSMENT  
CONFIRMED

Notice thereof having been mailed to the property owners and also published and posted in accordance with law, affidavits of which are on file in the office of the City Clerk, Mayor Katnich called for the public hearing on the assessment for the Virginia Avenue Street Lighting District which had been set for June 15, 1977 at 8:00 p.m. and had subsequently been continued to this meeting.

RES. NO. 4363

The matter was introduced by City Manager Glaves, with questions regarding the assessment being directed to Staff by the Council.

Council was apprised of a letter which had been received from Mr. Frank Koeneke, 400 Virginia Avenue, Lodi objecting to the assessment. Discussion followed regarding Mr. Koeneke's assessment with Mayor Katnich directing the City Clerk to contact Mr. Koeneke and discuss with him the alternatives open to him in paying the Assessment.

There were no persons in the audience wishing to speak on the matter, and the public portion of the hearing was closed.

On motion of Councilman Ehrhardt, Hughes second, the City Council adopted Resolution No. 4363 confirming the assessment on the Virginia Avenue Street Lighting District.

REQUEST FOR  
REZONING  
N/W CORNER  
S. CENTRAL  
& E. KETTLE-  
MAN

Mrs. Virginia Barrett, 1201-A Liebig Street, Lodi whose letter requesting the northwest corner of South Central Avenue and East Kettleman Lane be rezoned from R-MD, Medium Density Multiple Family Residential to C-2, General Commercial was presented under "Communications" was in the audience and asked to come forward to address the Council concerning her request,

REQUEST FOR  
REZONING  
N/W CORNER  
S. CENTRAL  
& E.  
KETTLEMAN  
(Continued)

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Following her presentation, questions regarding the request were presented to Staff as well as to Mrs. Barrett.

On motion of Councilman Ehrhardt, Pinkerton second, Council directed the Planning Commission to study the possible rezoning of the 300 block of East Kettleman Lane from R-MD, Medium Density Multiple Family Residential to C-2, General Commercial with a report and recommendation to be returned to the City Council at the earliest possible date.

RECESS

The Mayor declared a five-minute recess and the Council reconvened at 9:00 p.m.

PROPOSED  
1977-78  
BUDGET

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Katnich called for the Public Hearing to consider the proposed 1977-78 Budget of the City of Lodi.

Following introduction of the matter by the City Manager, Mr. William Plath, 800 Greenwood Drive, Lodi presented a follow-up proposal to a request for revenue sharing funds for a program of delinquency prevention involving "Parent Effectiveness Training" and "Youth Effectiveness Training" programs.

Mr. Plath stated that currently there are several programs aimed at filling the recreational, educational and spiritual needs of Lodians and their families; however, there are many young people and parents who have never learned the skills needed to assist them in becoming confident, cooperative citizens living as individuals within a larger community. By learning to successfully handle their own relationships and lives, the participants in these programs can return to their families, schools, jobs, and community with new skills in relation to those around them and in solving problems in their own lives. Parents, young people, and public agencies will all benefit from these programs and so benefit our City through their enhanced problem solving skills and increased confidence in themselves and in the system in which they live.

Also addressing the Council on the proposal was Mr. Art Raab, 1800 W. Walnut Street, Lodi and Ms. Doris McCaughna, 6433 Analitis Drive, Lodi.

Lengthy discussion followed with Council directing questions regarding the proposal to Staff, Mr. Plath, Mr. Raab and Ms. McCaughna.

There being no other persons in the audience wishing to speak on the proposed 1977-78 Budget for the City of Lodi, the public portion of the hearing was closed,



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PROPOSED  
1977-78  
BUDGET  
(Continued)

Staff's presentation of the proposed 1977-78 Budget of the City of Lodi continued with proposed increases in personnel being reviewed. Chief of Police Yates was in the audience and addressed the Council regarding the Administrative Assistant - Police position and answered questions as were posed by the Council on the matter.

Additional discussion followed with no action being taken by the Council on the proposed 1977-78 budget.

AUDIT OF  
REVENUE  
SHARING  
FUNDS

The City Manager apprised the Council that the City had recently been visited by Federal auditors to review its compliance with regulations for the use of Revenue Sharing funds. The Federal Auditor indicated that the annual audit of City funds does not meet the requirements of a specific audit of Revenue Sharing funds every three years. The City has secured a quotation for the specific audit from Ernst and Ernst in the amount of \$1400.00. It was the City Manager's recommendation that this audit be authorized and that the funds be appropriated from Revenue Sharing Funds.

Council discussion followed with questions regarding the matter being directed to staff.

Councilman Ehrhardt then moved to appropriate \$1400.00 from Revenue Sharing Funds to cover the cost of auditing the Revenue Sharing Funds. The motion was seconded by Councilman Pinkerton. Following additional discussion, the motion failed to pass by unanimous vote.


IMPENDING  
CONDEMNATION  
PROCEEDINGS

Following introduction of the matter by City Attorney Mullen, Council, on motion of Councilman Pinkerton, Ehrhardt second, instructed the City Attorney to write to Tillie D. Sanguinetti and Homestead Savings and Loan Association advising of the City's impending condemnation proceedings as set forth in proposed letter dated June 23, 1977 which had been reviewed by Council.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned to Tuesday, June 28, 1977 at 7:00 p.m. by Mayor Katnich on motion of Councilman Pinkerton, Ehrhardt second.

Attest:

  
ALICE M. REIMCHE  
City Clerk